

REMARKS

Status Of Application

Claims 1-20 are pending in the application; the status of the claims is as follows:

Claims 13-15 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter;

Claims 1, 2, 7, 8, 13, and 16-18 are rejected under 35 U.S.C. §102(a) and (e) as being anticipated by U.S. Application Publication No. US 2003/0194113 to Wenzel et al. (“Wenzel”);

Claims 5, 6, 11, 12, 14, 15, 19, and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Wenzel in view of U.S. Patent No. 6,879,705 B1 to Tao et al. (“Tao”); and

Claims 3, 4, 9, and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By the present response, Claims 3, 4, 9, and 10 have each been rewritten in independent form, including all of the limitations of their corresponding base claims, as suggested by the Examiner. As such, claims 3, 4, 9 and 10 should now be allowable as written. In view of these amendments, it is respectfully requested that the objection to claims 3, 4, 9, and 10 be reconsidered and withdrawn.

Also by this response, new claims 21-28 have been added to depend from the allowable claims. That is, claims 21 and 22 depend from allowable claim 3, claims 23 and 24 depend from allowable claim 4, claims 25 and 26 depend from allowable claim 9, and claims 27 and 28 depend from allowable claim 10. As such, new claims 21-28 should each be allowable for at least the reason of depending from an allowable claim.

Finally, also by this response, claim 16 has been amended to include limitations similar to those in allowable claim 3 and claims 1, 2, 5-8, 11-15 have been cancelled without disclaimer or prejudice to expedite the advancement of this application.

In view of the cancellation of claims 1, 2, 5-8 and 11-15, the section 101, 102 and 103 rejections of these claims are considered moot. Accordingly, it is respectfully requested that the rejection of claims 13-15 under 35 U.S.C. § 101; the rejection of claims 1, 2, 7, 8, and 13, under 35 U.S.C. § 102(a) and (e) over Wenzel; and the rejection of claims 5, 6, 11, 12, 14, and 15 under 35 U.S.C. § 103(a), over Wenzel in view of Tao each be reconsidered and withdrawn.

The acknowledgement, in the Office Action, of a claim for foreign priority under 35 U.S.C. § 119(a)-(d), and that the certified copy of the priority document has been received, is noted with appreciation.

The indication, in the Office Action, that the Examiner has no objections to the drawing filed on February 12, 2004, is noted with appreciation.

35 U.S.C. § 102(a) and (e) Rejections

The rejection of claims 1, 2, 7, 8, 13, and 16-18 under 35 U.S.C. § 102(a) and (e) as being anticipated by Wenzel, is respectfully traversed based on the following.

As noted above, by this response, claims 1, 2, 7, 8 and 13 have been cancelled thereby rendering the rejection thereof moot.

By this response, claim 16 has been amended to add substantially the same limitations as are present in allowable claim 3. In the present office action, the examiner states why claim 3 is viewed as allowable. In view of the amendments to claim 16 to add substantially the same limitations as are present in allowable claim 3, claim 16 should now also be allowable for the same reasons as claim 3.

Claims 17 and 18 depend from claim 16 and should now be allowable for at least the same reasons as claim 16.

Accordingly, it is respectfully requested that the rejection of claims 1, 2, 7, 8, 13, and 16-18 under 35 U.S.C. § 102(a) and (e) as being anticipated by Wenzel, be reconsidered and withdrawn.

35 U.S.C. § 103(a) Rejection

The rejection of claims 5, 6, 11, 12, 14, 15, 19, and 20 under 35 U.S.C. § 103(a), as being unpatentable over Wenzel in view of Tao, is respectfully traversed based on the following.

As noted above, by this response, claims 5, 6, 11, 12, 14 and 15 have been cancelled thereby rendering the rejection thereof moot.

As noted above, claim 16 has been amended herein to add substantially the same limitations as are present in allowable claim 3. In the present office action, the examiner states why claim 3 is viewed as allowable. In view of the amendments to claim 16 to add substantially the same limitations as are present in allowable claim 3, claim 16 should now also be allowable for the same reasons as claim 3.

Claims 19 and 20 depend from claim 16 and should now be allowable for at least the same reasons as claim 16.

Accordingly, it is respectfully requested that the rejection of claims 5, 6, 11, 12, 14, 15, 19, and 20 under 35 U.S.C. § 103(a) as being unpatentable over Wenzel in view of Tao, be reconsidered and withdrawn.

In view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are respectfully requested.

Application No. 10/777,363
Amendment dated August 3, 2007
Reply to Office Action of May 3, 2007

This Amendment increases the number of independent claims by 1 from 4 to 5, does not increase the total number of claims since the total claims is 17 which is less than 20, and does not present any multiple dependency claims. Accordingly, a Response Transmittal and Fee Authorization form authorizing the amount of \$200.00 to be charged to Sidley Austin LLP Deposit Account No. 18-1260 is enclosed herewith in duplicate. However, if the Response Transmittal and Fee Authorization form is missing, insufficient, or otherwise inadequate, or if a fee, other than the issue fee, is required during the pendency of this application, please charge such fee to Sidley Austin LLP Deposit Account No. 18-1260.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin LLP Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By: /Thomas N. Tarnay/ Reg. # 41,341
Thomas N. Tarnay
Registration No. 41,341
Attorney for Applicants

TNT/Ilb
SIDLEY AUSTIN LLP
717 N. Harwood, Suite 3400
Dallas, Texas 75201
Direct: (214) 981-3388
Main: (214) 981-3300
Facsimile: (214) 981-3400
August 3, 2007